

5/5/03

**Office Action Summary**

Application No.

09/893,440

Applicant(s)

UDD, THOMAS EDWARD

Examiner

Thanh S Phan

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☒ Claim(s) 1,6,13 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                     | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) Paper No(s). <u>12</u> . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                            | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                 |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3,10</u> . | 6) <input type="checkbox"/> Other: .  |

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "14" has been used to designate both a faceplate and a connection. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claim 25 is objected to because of the following informalities: a period in the middle of the sentence. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 10, 13-16, 18, 19, 22 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggelet et al. [US 5,099,391] in view of Cannella, Jr. Et al. [US 6,144,561].

In claims 1, 6 and 13. It has been held that the recitation that an element is "adapted for" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense.

Maggelet et al. disclose an electronic system [column 1, lines 23-51] comprising: a chassis; a plurality of printed circuit cards [figures 1 and 2] operatively installed in said chassis, each of said printed circuit cards having a faceplate [26] and a plurality of terminations each adapted for operative connection to a connector on the distal end of the conductor from a remote transceiver, said faceplate having a plurality of apertures [38, 40] in predetermined locations relative to said terminations; an insert panel [20] carried by and overlying said faceplate, said panel having at least one apertured ports [figure 5] for the selective connection on the external side thereof to the connector on the distal end of a conductor from a remote transceiver, each of said at least one apertured ports being in alignment with one of the apertures in said faceplate so that the internal side of said ports extends in proximity to one of the terminations of said printed circuit card.

Maggelet et al. disclose the claimed invention except for: wherein the panel comprises at least one adaptor having means for electrically connecting the internal side of said adaptor to one of said terminations, the support of said at least on adaptor by said faceplate removing the weight of the connector and conductor from the remote transceiver from the printed circuit card to which connected.

Cannella, Jr. et al. teaches of panels [15's] comprising at least one adaptor having external and internal sides extends through openings of a chassis/faceplate and mate with terminations of a printed circuit board [figure 1].

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the panel design of Cannella, Jr. et al. with Maggelet et al. to provide input/output signal cabling.

Regarding claims 2, 7. Cannella et al. further disclose wherein said means for electrically connecting the internal side of each of said adaptors to said card is a jumper cable [column 5, lines 15-22].

Regarding claims 3, 8. Cannella et al. further disclose wherein said means for electrically connecting the internal side of each of said adaptors to said card is a connector carried by said card [column 5, lines 15-22].

Regarding claims 4, 5, 9-10, 15-16 and 26-27. Cannella et al. further disclose wherein the external side of each of said adaptors extends downwardly to reduce gravity induced stress in the conductor attached thereto [figure 1].

Regarding claims 18, 19 and 22. The method steps are necessitated by the apparatus limitations.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 11- 12 and are rejected under 35 U.S.C. 102(e) as being anticipated by Cannella et al. [US 6,144,561].

Cannella et al. disclose a system [figure 1] having a circuit card [18] with a plurality of terminations adapted for selective operative connection to a remote peripheral component, and a faceplate/chassis [12] with a plurality of apertures in predetermined locations relative to said terminations, the improvement wherein said operative connection is by way of a through-connector carried by an insert panel [15's] overlying and carried by said faceplate, to thereby remove the weight of the conductor of any attached remote peripheral component from the termination to which operatively connected.

Regarding claim 12. Cannella et al. further disclose wherein the external side of said through-connector is downwardly angled to reduce the stress on any attached conductor [figure 1].

Claim 17, 20-21 and 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Maggelet et al. [US 5,099,391].

Maggelet et al. disclose a system [column 1, lines 23-51] having a circuit card with a plurality of terminations adapted for selective attachment to a remote peripheral component, and a faceplate [26] with a plurality of apertures [38, 40] in predetermined locations relative to said terminations, the improvement comprising an insert panel [20] overlying said faceplate, said insert panel having at least one aperture [figure 5] in a predetermined location relative to the apertures in said faceplate to thereby selectively control access of a remote peripheral to said terminations.

Regarding claims 20-21. The method steps are inherent to the apparatus limitations.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Freer et al. [US 5,576,935]; Tan et al. [US 5,545,057] ; Lawrence [US 5,664,950] ; Hu [US 6,301,104] ; Diaz [US 5,833,494]; BuAbbud et al. [US 6,542,382]; Huang [US 6,190,204].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh S Phan whose telephone number is 703-305-0069. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David S Martin can be reached on 703-308-3121. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

tsp

A handwritten signature in black ink, appearing to read 'Dl M', is positioned above the printed name and title.

**DAVID MARTIN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**